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5 *Attorney for the plaintiffs,*
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7 **UNITED STATES DISTRICT COURT**
8 **FOR THE DISTRICT OF NEVADA**

9 LORI WINCHELL, a Nevada Citizen; RYAN
WINCHELL, a Nevada Citizen; and
10 JILLIENE WINCHELL, a Nevada Citizen,

11 Plaintiffs,

12 vs.

13 NARCONON FRESH START d/b/a
RAINBOW CANYON RETREAT, a
14 California Corporation; ASSOCIATION FOR
BETTER LIVING AND EDUCATION
15 INTERNATIONAL; NARCONON
INTERNATIONAL and DOES 1-100, ROE
16 Corporations I – X, inclusive,

17 Defendants.

Case No. 2:14-cv-00851-RFB-CWH

**STIPULATED DISCOVERY PLAN AND
SCHEDULING ORDER**

**SUBMITTED IN COMPLIANCE WITH
LR 26-1(e)**

18 The parties, by and through counsel, submit the following Stipulated Discovery Plan and
19 Scheduling Order pursuant to the requirements of Fed. R. Civ. P. 26, Fed. R. Civ. P. 16(b), and LR
20 26-1.

21 **Fed. R. Civ. P. 26(f) Conference**

22 Parties held the 26(f) conference for this case on August 30, 2014, with Plaintiffs' counsel
23 Ryan Hamilton and Defendant's counsel David Avakian in attendance.
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1 **Discovery Cut-off Date (LR 26-1(e)(1))**

2 The proposed last day of discovery shall be January 7, 2015, which is approximately 180
3 days from the date (July 9, 2014) on which Defendant filed its Motion to Dismiss Plaintiffs'
4 Complaint. (Doc 12). The dates proposed here have been coordinated with the dates proposed in
5 Yates v. Narconon Fresh Start, *et al.*, 2:14-cv-837-GMN-NJK.

6 **Amendment of Pleadings and Adding of Parties**

7 Parties shall have until October 7, 2014, to move to amend the pleadings or to add parties.
8 This date is approximately 90 days before the close of discovery.

9 **Fed. R. Civ. P. 26(a)(2) Expert Disclosure Deadlines (LR 26-1(e)(3))**

- 10 (A) Parties shall disclose initial experts and expert reports by November 7, 2014, which
11 is approximately 60 days before the close of discovery;
- 12 (B) Parties shall disclose rebuttal experts and their reports by December 8, 2014, which
13 is approximately 30 days after the parties' initial disclosure of experts.

14 **Dispositive Motions (LR 26-1(e)(4))**

15 Parties shall file their dispositive motions by February 6, 2015, which does not exceed 30
16 days after the discovery cut-off date.

17 **Joint Pretrial Order (LR 26-1(e)(5))**

18 The Joint Pretrial Order shall be filed by March 6, 2015, which is not more than 30 days
19 after the deadline for the filing of dispositive motions. If a dispositive motion is timely filed, this
20 deadline is suspended until 30 days after rulings on the dispositive motions, or until further order
21 of the Court.

22 **Fed. R. Civ. P. 26(a)(3) Disclosures (LR 26-1(e)(6))**

23 Unless otherwise directed by the Court, pretrial disclosures pursuant to Fed. R. Civ. P.
24 26(a)(3) shall be made at least 30 days before trial. Within 14 days thereafter, unless a different
25

time is specified by the Court, a party may serve and file a list disclosing objections as provided in Fed. R. Civ. P. 26(a)(3).

Interim Status Report

The Interim Status Report shall be filed by November 7, 2014, which is approximately 60 days before the close of discovery.

Initial Disclosures

The parties shall serve Initial Disclosures on or before September 12, 2014.

Discovery Plan

The parties jointly propose to the Court the following discovery plan: all discovery allowed under the Federal and Local Rules of Civil Procedures. The parties intend to conduct discovery on liability and damages.

Pre-Trial Conference

The parties do not request a pre-trial conference with the Court before entry of the Scheduling Order.

Settlement

Parties are continuing to discuss the prospect of settlement.

Pretrial Disclosures

Final lists of witnesses and exhibits required by Fed. R. Civ. P. 26(a)(3) shall be included in the Joint Pretrial Order. The parties shall have 14 days after service of final lists of witnesses and exhibits to file objections under Fed. R. Civ. P. 26(a)(3).

Later Appearing Parties

A copy of the Discovery Plan and Scheduling Order shall be served within five days of an appearance by any new party. This Discovery Plan and Scheduling Order shall apply to such later appearing parties, however the parties herein agree to stipulate to extend discovery deadlines should there be good cause to do so if additional parties are added.

1 **Extensions or Modifications of the Discovery Plan and Scheduling Order**

2 LR 26-4 governs modifications or extensions of this Discovery Plan and Scheduling Order.
3 Any Stipulation or motion must be made no later than 21 days before the expiration of the subject
4 deadline.

5 DATED this 8th day of September, 2014.

6 By: /s/ Ryan A. Hamilton

7 HAMILTON LAW

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10 *Attorney for the plaintiffs,*

11 *Lori, Ryan, and Jilliene Winchell*

12 By: /s/David Avakian

13 LEWIS BRISBOIS BISGAARD & SMITH, LLP

14 6385 S. Rainbow Blvd., Ste. 600

15 Las Vegas, NV 89118

16 *Attorney for Defendant Narconon Fresh Start d/b/a*
17 *Rainbow Canyon Retreat*

18 IT IS SO ORDERED.

19 DATED this ____ day of _____ 2014.

20 _____
21 United States Magistrate Judge
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23
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